AFFIDAVIT

STATE OF GEORGIA)
)
COUNTY OF DEKALB	Ì

COMES NOW, Bill McDaniel, of sound mind and lawful age, and after being duly sworn deposes and says:

- 1. I am the Vice President, Claims Administration of USI of Georgia, which is an entity that acts as the third party administrator for liability and workers' compensation claims for Allied Systems, Ltd. and Allied Automotive Group, Inc., the managing general partner of Allied Systems, Ltd. (collectively "Allied"). I have been personally involved in administration of workers' compensation claims and employer liability claims for Allied since August 1997, first with Haul Risk Management Services, Inc., an entity that was affiliated with Allied, and later with the Claims Administration division of Allied Automotive Group, Inc. Since August , 1997, I have overseen and supervised all worker's compensation and employer liability claims for Allied.
 - 2. I have personal knowledge of the matters set forth herein.
- 3. Since August 1997, I am aware of only one state or federal civil action in which either Allied Systems, Ltd. or Allied Automotive Group, Inc. has been sued as a result of an injury involving a fall from the headramp of an automotive carrier due to the alleged failure of a safety cable. That case is styled <u>David E. Ferguson</u>, et al. v. Ryder Automotive Carrier Services. Inc., et al., U.S. District Court, S.D. Ohio, West. Div., Case No. C-1-02-039.

FURTHER AFFIANT SAYETH NOT.

Celillain Marquel	
Bill McDaniel	

Sworn to and subscribed before me this 14th day of August, 2003, by Bill McDaniel, ____ as identification.

Notary Public (signature)

Linda M. Weaven

Notary Public (print name)

(SEAL)



CERTIFICATE OF SERVICE

I certify that true and correct copies of the foregoing were served by depositing the same into the United States Mails, first class postage prepaid, on this 15 day of August 2003, to:

Thomas R. Koustmer, Esq. 1800 Federated Building 7 West Seventh Street Cincinnati, OH 45202

Michael J. Honerlaw, Esq. Honerlaw and Honerlaw Co., L.P.A. 9227 Winton Road Cincinnati, OH 45231

K. Roger Schoeni, Esq. Kohnen & Patton LLP PNC Center, Suite 800 201 East Fifth Street Cincinnati, OH 45202

David E. Larson, Esq. Larson & Larson PC 11300 Tomahawk Creek Parkway Suite 310 Leawood, KS 66211

Craig R. Paulus, Esq. Taft Stettinius & Hollister LLP 425 Walnut Street, Suite 1800 Cincinnati, OH 45202

s:\dma\allied\ferguson\pleadings\winter affidavit wpd